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SALOMON, PHENUEL S

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2179

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02/03/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | | | |
|------------------------------|---------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/715,205 | Applicant(s) GREEN ET AL. | |
| | Examiner PHENUEL S. SALOMON | Art Unit 2179 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7,8,14,16,20,21,38-43 and 55-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7,8,14,16,20,21,38-43 and 55-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2179

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed on 11/02/09. Claims 1, 7, 8, 14, 16, 20, 21, 38-43 and 55-76 are pending and have been considered below.

2. In view of the appeal brief filed on 11/02/09, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2179

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 14, 16, 20, 39, 55-57, 60-64, 67, and 70-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang (US 6,791,583 B2) in view of Imamura et al. (US 2002/0091774 A1).

Claims 1 and 14: Tang discloses a computer- readable storage medium and a method having embodied thereon a computer program, the computer program including instructions that, when executed, cause a computer to:

display, to a user of an instant messaging system, a graphical user interface that enables the user to access an instant messaging service, the graphical user interface comprising a window that includes a contacts list listing identifiers corresponding to multiple co-users of the instant messaging service, the contacts list being configured to make online presence information for the co-users perceivable to the user and to enable the user to initiate communication sessions with the co-users (fig. 4a).

determine a number of unread e-mail messages exchanged between the user and a first one of the co-users (col. 4, lines 18-24);

conditioned on the number of unread e-mail messages being greater than zero, display, within the window that includes the contacts list and in association with the identifier corresponding to the first co-

Art Unit: 2179

user, a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co-user (fig. 6c, item 64);

enable the user to select the first graphical element (col. 12, lines 56-58);

receive a selection of the first graphical element by the user (col. 12, lines 58-60); and

in response to the selection of the first graphical element by the user, display to the user the e-mail messages exchanged between the user and the first co-user (col. 12, lines 56-60).

Tang does not explicitly disclose the number of unread e-mail messages.

However Imamura discloses the number of unread e-mail messages for each particular user (fig. 6).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the number of unread messages in Tang. One would have been motivated to do so in order to simplify the ease of managing email messages to be received over a distributed network by multiple users (para. [0009]).

Claim 16: Tang and Imamura disclose the method of claim 14 above, Tang further discloses receiving a selection of the first graphical element comprises receiving an indication that the user has moved a graphical pointer further over the graphical element corresponding to the first co-user in the contacts list (fig. 5a).

Claim 20: Tang and Imamura disclose the method of claim 14 above, Tang further discloses comprising displaying the one or more unread email in response to a second selection of the graphical element by the user (fig. 5a).

Claim 39: Tang and Imamura disclose the method of claim 14 above Tang further discloses:

Art Unit: 2179

determining that a number of unread e-mail messages have been exchanged between the user and a first one of the co-users includes determining that a number of e-mail messages were sent by the user to the first co-user remain unread by the first co-user (fig. 5a); and

displaying a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co-user includes displaying a graphical element configured to inform the user that one or more e-mail messages were sent by the user to the first-co-user and remain unread by the first co-user (fig. 5a).

Claim 55: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, Tang further discloses the first graphical element comprises an icon (fig. 5b, item 64).

Claim 56: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, wherein the computer program further includes instructions that, when executed, cause a computer to:

Tang further discloses determine that an email message has been exchanged between the user and a second one of the co-users (fig. 6c);

conditioned on the number of unread e-mail messages determined to be exchanged between the user and the co-user being greater than zero, display, within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a second graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the second co-user (fig. 6c) [if the user want to chat with a second co-user, an icon similar to the icon 64 of fig. 6c will be displayed also]

Art Unit: 2179

Claim 57: Tang and Imamura disclose the computer-readable storage medium of claim 56 above, Tang further discloses the computer program further includes instructions that, when executed, cause a computer to:

- enable the user to select the second graphical element(fig. 6);
- receive a selection of the second graphical element by the user (fig. 6) and
- in response to the selection of the second graphical element by the user, display to the user the number of unread e-mail messages exchanged between the user and the second co-user (fig. 6c).

Claim 60: Tang and Imamura disclose the computer-readable storage medium of claim 1, Tang further discloses the instructions for causing a computer to display to the user the number of unread e-mail messages exchanged between the user and the first co-user include instructions for causing the computer to display the number in a pop-up window or a dialog box that appears in response to selection of the first graphical element by the user, the pop-up window or the dialog box displaying the number without displaying a list of e-mails received by the user (fig. 5a).

Claim 61: The claim incorporates substantially similar subject matter as claim 55, and is rejected along the same rationale.

Claim 62: The claim incorporates substantially similar subject matter as claim 56, and is rejected along the same rationale.

Claim 63: The claim incorporates substantially similar subject matter as claim 57, and is rejected along the same rationale.

Art Unit: 2179

Claim 64: The claim incorporates substantially similar subject matter as claim 60, and is rejected along the same rationale.

Claim 67: Tang discloses a computer- readable storage medium having embodied thereon a computer program, the computer program including instructions that, when executed, cause a computer to:

display, to a user of an instant messaging system, a graphical user interface that enables the user to access an instant messaging service, the graphical user interface comprising a window that includes a contacts list listing identifiers of other users, the identifiers of other users including a set of identifiers corresponding to co-users of the instant messaging service, the contacts list being configured to make online presence information for the co-users perceivable to the user and to enable the user to initiate communication sessions with the co-users (fig. 4a);

determine a number of unread e-mail messages exchanged between the user and a first one of the co-users (col. 4, lines 18-24);

display, within the interface that includes the contacts list and in association with the identifier in the list corresponding to the first co-user, a graphical element that displays unread e-mail messages exchanged between the user and the first co-user (col. 12, lines 56-60).

Tang does not explicitly disclose the number of unread e-mail messages.

However Imamura discloses the number of unread e-mail messages for each particular user (fig. 6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the number of unread messages in Tang. One would have been motivated to do so in order to simplify the ease of managing email messages to be received over a distributed network by multiple users (para. [0009]).

Art Unit: 2179

Claim 70: The claim incorporates substantially similar subject matter as claim 60, and is rejected along the same rationale.

Claim 71: Tang and Imamura disclose the computer-readable storage medium of claim 70 above, Tang further discloses the instructions for causing a computer to display the pop-up window or dialog box comprise instructions for causing the computer to display the pop-up window or dialog box in response to the user scrolling over the identifier corresponding to the first co-user in the window (col. 12, lines 57-59).

Claim 72: Tang discloses a computer- readable storage medium having embodied thereon a computer program, the computer program including instructions that, when executed, cause a computer to:

display, to a user of an instant messaging system, a graphical user interface that enables the user to access an instant messaging service, the graphical user interface comprising a window that includes a contacts list listing identifiers corresponding to multiple co-users of the instant messaging service, the contacts list being configured to make online presence information for the co-users perceivable to the user and to enable the user to initiate communication sessions with the co-users (fig. 4a)

determine whether unread e-mail messages sent by the user to a first co-user or received by the user from the first co-user are available for access (fig. 6c, item 64);

conditioned on determining that unread e-mail messages sent by the user to a first co-user or received by the user from the first co-user are available for access, display within the window that includes the contacts list and in association with the identifier corresponding to the first co- user a graphical element that indicates to the user that unread e-mail messages are available for access (fig. 6c, item 64); and

conditioned on determining that no unread e-mail messages sent by the user to a first co-user or received by the user from the first co-user are available for access, not display within the window and in

Art Unit: 2179

association with the identifier corresponding to the first co-user any graphical element related to e-mails or e-mail inbox content (fig. 5a) [As per John's desktop, since there is no unread message so no icon is being displayed next to Janak as opposed to fig. 6c. Therefore, it will be the same for Janak's desktop.

Claim 73: Tang discloses the computer-readable storage medium of claim 72 above, Tang further discloses comprising instructions that, when executed, cause a computer to no longer display the graphical element within the window upon subsequently determining that the user accessed previously unread e-mail messages such that no unread e-mail messages from the first co-user remain presently available for access (fig. 7b).

4. Claims 7-8, 21, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang (US 6,791,583 B2) in view of Imamura (US 2002/0091774) and further in view of Widger (US 2005/0117733).

Claim 7: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, wherein the computer program further includes instructions that, when executed, cause a computer.

Tang and Imamura do not explicitly disclose to open or activate an application to read the unread email message when the first graphical element is again selected by the user.

However, in the same field of endeavor, Widger discloses “a message notification portion when clicking on the icon accesses the associated application” (p. 5, par. [0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that feature into Tang. One would have been motivated to add that feature in order to quickly access and review one’s email content without interruption.

Art Unit: 2179

Claim 8: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, wherein the computer program further includes instructions that, when executed, cause a computer.

Tang and Imamura do not explicitly disclose to open or activate an application listing multiple email messages exchanged between the user and the first co-user.

However, in the same field of endeavor, Widger discloses “a message notification icon...with associated number of messages received” (p. 5, par. [0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a new message icon that shows listing of multiple e-mail messages in Tang. One would have been motivated to do so in order to better organize the email message inbox.

Claim 21: Tang and Imamura disclose the method of claim 14 above, Tang and Imamura do not explicitly disclose comprising displaying a list of one or more unread multiple email messages exchanged between the user and the first co- user in response to a second selection of the graphical element first indication by the user, the list of one or more unread multiple email messages being limited to email messages exchanged between the user and the first co-user.

However, in the same field of endeavor, Widger discloses “a message notification icon...with associated number of messages received” (p. 5, par. [0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a new message icon that shows listing of multiple e-mail messages in Tang. One would have been motivated to do so in order to better organize the email message inbox.

Claim 42: Tang and Imamura disclose the method of claim 14 above Tang further discloses comprising:
determining that a second one of the co-users has left a voicemail message for the user (fig. 5a)

Art Unit: 2179

in response to determining that the second co-user left a voicemail message for the user (fig. 5a)[each user can monitor each other activities],

Tang and Imamura do not explicitly disclose displaying, within the window that includes the contacts list and in association with the identifier corresponding to the second co-user, a second graphical element, different from the first graphical element, configured to inform the user that the second co-user left a voicemail message for the user.

However Widger discloses a voice mail icon when a user has an incoming voice message (fig. 22).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a different icon associated with a different co-user in Tang. One would have been motivated to do so in order to show a suitable display for message notification.

5. Claims 38, 43, 65 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang (US 6,791,583 B2) in view of Imamura et al.(US 2002/0091774 A1) and in further view of Lee et al.(US2003/0233265 A1.

Claim 38: Tang and Imamura disclose the method of claim 14 above Tang further discloses wherein displaying, within the window that includes the contacts list and in association with the identifier corresponding to the first co-user, a first graphical element that indicates that unread e-mail messages have been exchanged between the user and the first co-user includes displaying the first graphical element adjacent to the identifier in the contacts list that corresponds to the first co- user (fig. 6c);

Tang and Imamura disclose do not explicitly disclose

further comprising displaying, within the window that includes the contacts list and in association with the identifier corresponding to a second co-user, a second graphical element, different from the first

Art Unit: 2179

graphical element, that indicates that a meeting has been scheduled that involves the user and the second co-user.

However, Lee discloses displaying, within the window that includes the contacts list and in association with the identifier corresponding to a second co-user, a second graphical element, different from the first graphical element, that indicates that a meeting has been scheduled that involves the user and the second co-user (p.3, para [0043],[0048] and fig. 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include scheduled meeting icon in Tang. One would have been motivated to do so in order to facilitate meeting schedule as required while the user is being notified of such meeting.

Claim 43: Tang and Imamura disclose the method of claim 14 above Tang further discloses displaying, within the window that includes the contacts list and in association with the identifier corresponding to the second co-user and concurrently with the first graphical element that indicates that a number of unread e-mail messages have been exchanged between the user and the first co-user. (fig. 6c).

Tang and Imamura do not explicitly disclose a second graphical element that indicates that a meeting has been scheduled that involves the user and the second co-user includes displaying the second graphical element that indicates that a meeting has been scheduled that involves the user and the second co-user. However, Lee discloses in association with the identifier corresponding to the second co-user, a second indication that reflects that a meeting has been scheduled that involves the user and the second co-user include instructions that, when executed, cause a computer to display the second indication that reflects that a meeting has been scheduled that involves the user and the second co-user (p.3, para. [0043] and[0048]) [sending request to the invitees]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include scheduled meeting icon in Tang.

Art Unit: 2179

One would have been motivated to do so in order to facilitate meeting schedule as required while the user is being notified of such meeting (para. [0006]).

Claim 65: Tang Imamura and Lee disclose the method of 38 above, Tang further discloses the first graphical element comprises a first icon (fig. 6c) and Lee discloses the second graphical element comprises a second and different icon (fig. 5).

Claim 66: Tang Imamura and Lee disclose the method of claim 43 above, Tang further discloses the first graphical element comprises a first icon (fig. 6c) and Lee discloses the second graphical element comprises a second and different icon (fig. 5).

6. Claims 40-41, 58-59, 68-69, and 74-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang (US 6,791,583 B2) in view of Imamura et al. (US 2002/0091774 A1) and in further view of Nielsen (US 6,108,688).

Claim 40: Tang and Imamura disclose the method of claim 14 above Tang further discloses:

determining that a number of unread e-mail messages have been exchanged between the user and a first one of the co-users includes determining that a number of e-mail messages were sent by the first co-user to the user and (fig. 5a)

Tang and Imamura do not explicitly disclose remain unread by the user

Tang further discloses displaying a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co-user (fig. 5a).

Art Unit: 2179

Tang and Imamura do not explicitly disclose includes displaying a graphical element configured to inform the user that one or more e-mail messages were first sent by the first co-user to the user and remain unread by the user.

However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

Claim 41: Tang and Imamura disclose the method of claim 14 above Tang further discloses:

determining that a number of unread e-mail messages have been exchanged between the user and a first one of the co-users includes determining that a number of e-mail messages were sent by the user to the first co-user disclose remain unread by the first co-user (fig. 5a); and

displaying a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co-user includes displaying a graphical element configured to inform the user that one or more e-mail messages were sent by the user to the first-co-user and remain unread by the first co-user (fig. 5a); and
the method further comprises:

determining that a third one of the co-users has sent a number of e-mail message to the user remain unread by the user (fig. 5a); and

conditioned on the number of unread e-mail messages sent by the third co-user to the user being greater than zero, displaying, within the window that includes the contacts list and in association with the

Art Unit: 2179

identifier corresponding to the third co-user, a second graphical element configured to inform the user that the third co-user has sent one or more e-mail messages to the user (fig. 5a).

Tang and Imamura do not explicitly disclose remain unread by the user.

However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

Claim 58: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, Tang further discloses:

the instructions for causing a computer to determine that a number of unread e-mail messages have been exchanged between the user and a first one of the co-users includes instructions for causing a computer to determine that a number of e-mail messages were sent by the user to the first co-user remain unread by the first co-user (fig. 5a); and

the instructions for causing a computer to display a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co-user includes instructions for causing a computer to (fig. 5a).

Tang and Imamura do not explicitly disclose display a graphical element configured to inform the user that one or more e-mail messages were sent by the user to the first-co-user and remain unread by the first co-user.

Art Unit: 2179

However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

Claim 59: Tang and Imamura disclose the computer-readable storage medium of claim 1 above, Tang further discloses:

the instructions for causing a computer to determine that a number of unread e-mail messages have been exchanged between the user and a first one of the co-users includes instructions for causing a computer to determine that a number of e-mail messages were sent by the first co-user to the user (fig. 5a) Tang and Imamura do not explicitly disclose remain unread by the user; and

Tang further discloses

the instructions for causing a computer to display a first graphical element that indicates that one or more unread e-mail messages have been exchanged between the user and the first co- user includes instructions for causing a computer to (fig. 5a).

Tang and Imamura do not explicitly disclose display a graphical element configured to inform the user that one or more e-mail messages were sent by the first co-user to the user and remain unread by the user.

However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to

Art Unit: 2179

include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

Claim 68: The claim incorporates substantially similar subject matter as claim 58, and is rejected along the same rationale.

Claim 69: The claim incorporates substantially similar subject matter as claim 59, and is rejected along the same rationale.

Claim 74: Tang and Imamura disclose the computer-readable storage medium of claim 72 above, Tang further discloses:

the instructions that cause a computer to determine whether unread e-mail messages sent by the user to a first co-user or received by the user from the first co-user are available for access comprise instructions that cause a computer to determine whether unread e-mail messages sent by the user to the first co-user are available for access by the first co-user (fig. 5a); and

Tang and Imamura do not explicitly disclose the instructions that cause a computer to display within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a graphical element that indicates to the user that unread e-mail messages are available for access comprise instructions that cause a computer to

Tang further discloses conditioned on determining that unread e-mail messages sent by the user to the first co-user are available for access by the first co-user, display within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a graphical element

Art Unit: 2179

configured to inform the user that e-mail messages sent by the user to the first co-user have not been read by the first co-user and remain not read by the first co-user (fig. 5a).

However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Doss. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

Claim 75: Tang and Imamura disclose the computer-readable storage medium of claim 72 above, Tang further discloses:

the instructions that cause a computer to determine whether unread e-mail messages sent by the user to a first co-user or received by the user from the first co-user are available for access comprise instructions that cause a computer to determine (fig. 5a)

Tang and Imamura do not explicitly disclose whether unread e-mail messages received by the user from the first co-user are available for access by the user; and

Tang further discloses the instructions that cause a computer to display within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a graphical element that indicates to the user that unread e-mail messages are available for access comprise instructions that cause a computer, conditioned on determining that unread e-mail messages received by the user from the first co-user are available for access by the user display within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a graphical element configured (fig. 5a) .

Art Unit: 2179

Tang and Imamura do not explicitly disclose to inform the user that e-mail messages sent by the first co-user to the user have not been read by the user and remain not read by the user. However, Nielsen discloses providing the sender of an e-mail message with the capability of automatically generating a warning message on the sender's system if the recipient of the message has not opened the message by a time specified by the sender and the sender's e-mail program is modified to include the capability of providing a warning in case the sender's e-mail message is not opened by the recipient. (col. 1, lines 54-67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about outstanding email reply (col. 1, lines 49-51).

7. Claim 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doss (US 2003/0046296 A1) in view of Nielsen (US 6,108,688).

Claim 76: Tang discloses a method comprising:

displaying, to a user of an instant messaging system, a graphical user interface that enables the user to access an instant messaging service, the graphical user interface comprising a window that includes a contacts list listing identifiers corresponding to multiple co-users of the instant messaging service, the contacts list being configured to make online presence information for the co-users perceivable to the user and to enable the user to initiate communication sessions with the co-users (fig. 4).

Tang and Imamura do not explicitly disclose receiving an e-mail message addressed to the user from a first co-user, the user having no unread e-mail messages received from the first co-user prior to receipt of the e-mail message.

However, Nielsen discloses as shown by decision 210, the program checks whether the message has been seen previously, or whether it is a new message that has not been seen previously. (col. 8, lines

Art Unit: 2179

42-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include sender notification in Tang. One would have been motivated to do so in order to remind the sender about new email (col. 1, lines 49-51).

Tang further discloses in response to the e-mail message, displaying within the window that includes the contacts list and in association with the identifier corresponding to the first co-user a graphical element that indicates to the user that unread e-mail messages received by the user from the first co-user are available for access by the user, wherein no graphical element related to e-mails or e-mail inbox content was displayed in the window in association with the identifier corresponding to the first user prior to receipt of the e-mail message (fig. 5a) [if there are no unread messages, there won't be any display icons].

Response to Arguments

8. Applicant's arguments filed on 11/02/2009 have been fully considered but they are moot in view of new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Helfman et al. (US 6,396,513 B1) discloses Electronic message sorting and notification system.
 - b. Sheldon et al. (US 6,708,205 B2) disclose email messaging system.

Art Unit: 2179

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M. (Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
1/28/2010

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